

1 HONORABLE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In Re
10 ALTANATURAL CORPORATION
11 Plaintiff/Appellee,

12 vs.
13

14 NEW INVESTMENTS, INC.
15 Defendant/Appellant.

Case No. 2:16-cv-01368-RAJ

**ORDER REMANDING CASE TO
BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF
WASHINGTON PURSUANT TO
NINTH CIRCUIT MANDATE**

I. INTRODUCTION

This matter comes before the Court following a reversal and remand on appeal from the Ninth Circuit. Dkt. # 41, 42. On March 13, 2018, this Court entered judgment in favor of Plaintiff Altanatural Corporation and against Defendant New Investments, Inc, affirming a judgment of the Bankruptcy Court for the Western District of Washington. Dkt. # 25.

On April 6, 2018, Defendant appealed. Dkt. # 28. The Ninth Circuit Court of Appeals vacated, in part, this Court's Order affirming the judgment of the bankruptcy court. Dkt. # 42. Specifically, the Ninth Circuit held that the bankruptcy court may have erred in calculating expectation damages by failing to account for Altanatural's savings.

Id. at 6. The Ninth Circuit remanded to this Court with instructions to remand the action to the Bankruptcy Court for the Western District of Washington for a determination of whether modification of the judgment would be appropriate to account for Altanatural's savings. *Id.*

Accordingly, the clerk is directed to remand this case to the Bankruptcy Court for the Western District of Washington.

DATED this 30th day of July, 2019.

Richard A. Jones
The Honorable Richard A. Jones

The Honorable Richard A. Jones
United States District Judge